

tissue of said mammal contains DNA that comprises a gene encoding said protein, said gene being under the transcriptional control of a whey acid protein promoter, and said genome further comprising a DNA secretion signal-encoding sequence enabling secretion of said protein,

- D¹
cont.
- (b) inducing lactation in said mammal, thereafter
 - (c) collecting milk from said lactating mammal, and
 - (d) isolating said protein from said collected milk.
-

Please add new claim 24:

D²

--24.(New) A DNA molecule that contains (i) a gene encoding a protein other than whey acidic protein, (ii) a whey acidic protein promoter, said gene being under the transcriptional control of said promoter, and (iii) a DNA secretion signal-encoding sequence enabling secretion of said protein.--

REMARKS

The claims were rejected under 35 U.S.C. §101 and §112, first and second paragraphs.

At the outset, Applicants note that previously-canceled claim 17 (renumbered as new claim 24) has been re-introduced by the present amendment. Reconsideration of the patentability of claim 17 is respectfully requested.